

# **2006 Consumer Products Regulation Workgroup Meeting**

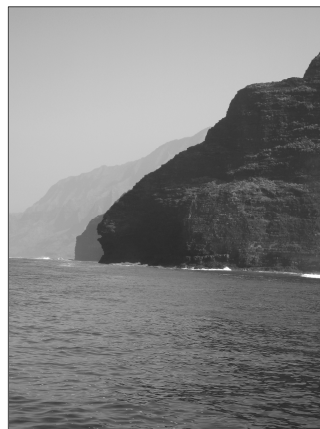
*January 19, 2006*



*California Environmental Protection Agency*  
**Air Resources Board**

## **Overview**

- Background
- 2003 Survey
  - Data Summaries
- 2005 Survey
- Other Consumer Products Activities
- State Implementation Plan
- 2006 Regulatory Amendments
- Contacts and Resources



## Background

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## Program Highlights

- Consumer products:
  - Chemically formulated
  - Used by household and institutional consumers
  - Include household, home and garden, aerosol paint, personal care, automotive specialty (care) products, etc.
- Consumer products do not include other paint products, furniture coatings or architectural coatings
- California Clean Air Act requires ARB to regulate consumer products

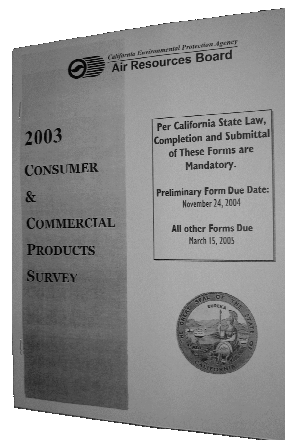


## 2003 Consumer & Commercial Products Survey

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## 2003 Consumer & Commercial Products Survey

- Over 915 companies responded
- Nearly 26,000 products/product group were reported
- Compared to 2001 Survey of 400 companies and 7,000 products
- One quarter of surveys were electronic
  - Encompassed 50% of products/product groups reported
- Special reporting requirements for Aerosol Adhesives
- Over 100 voluntary survey evaluations received



## Survey Observations

- Exempt Compounds and LVP-VOCs
- Product Categorization
- Product Form
  - Delivery System
  - Dispensed Form
- Sales units vs. Mass/Volume
- Electronic Input
  - Hard Copy Submission



## Preliminary Data Summaries

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## **2003 Survey Preliminary Data Summaries**

- Preliminary Data Summaries posted December 22, 2005  
[www.arb.ca.gov/consprod/regact/2003surv/datasum2003.htm](http://www.arb.ca.gov/consprod/regact/2003surv/datasum2003.htm)
- Format
  - Generalized Summary Tables – A & B
  - Category Data – Tables 1, 2, & 3
- Confidentiality protected
  - Too few companies and/or products
- Some reported products not included
  - Not reportable
  - Incomplete products (may be included later)
  - Certain Thinners/Reducers

## **Stakeholders Comments on Data Summaries**

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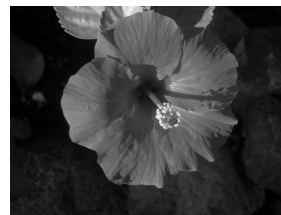
## Stakeholders Comments on Data Summaries

- Not Reportable Products
  - Not consumer products
  - Not asked for this time
- Miscategorized Products
  - Case by case
- Out of Compliance Products
  - Dilution
  - Exempted
  - Reporting errors
  - Contact manufacturer
- Combining/Subcategorization of Products
  - Inventory/Regulatory issue
- Missing Companies



## Stakeholders Comments on Data Summaries *(cont.)*

- Request for MIR Data
  - More detailed data to come
- Request for Emissions by Product Form
  - More data to come
- VOCs/LVP-VOCs
- Combustion Fate/Down the Drain
  - Specific studies needed
  - Inventory adjustments will be made



## **Survey Data Analysis and Adjustments**

- Sales Verification
- Re-categorization of products
- Product Form Analysis
- Adding new and late survey submissions



## **2005 Consumer & Commercial Products Survey**

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## **2005 Survey**

- Second round of two-part effort for CONS-2 SIP commitment
- Not expected to include most of the recently surveyed categories or those with standards effective in 1/1/06 or after
- New categories may be added
- Similar format to 2003 Survey
  - Revisions will include improvements from public and staff recommendations
- Anticipate posting Summer/Fall of 2006

## **Survey Adjustments/ Improvements**

- Category codes will be simplified
- Form 3 – Product Information
  - Clarify reporting of delivery system/dispensed form
  - Clarify reporting of sales data
- Form 4 – Ingredient Information
  - Exempts vs. LVP-VOCs
  - Specific gravity/density questions will be relocated
- Training intended to be for individuals completing survey forms

## **Other Consumer Products Activities**

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### **Other Consumer Products Activities**

- Nail Polish Removers
- Aminomethyl Propanol
- Aerosol Coatings/Consumer Products Overlap
- Multi-function Products
- VOC Exemptions
- Inventory Update
- Upcoming VOC Limits, Toxics Prohibitions,  
and Other Requirements

## **Nail Polish Removers**

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### **Nail Polish Removers Category Update**

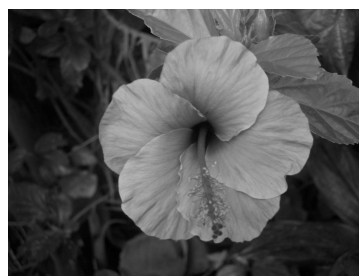
- 0% VOC limit became effective Dec. 31, 2004
- Methyl acetate (VOC-exempted) intended replacement for non-acetone nail polish removers
- Impurities discovered in methyl acetate
- Hydrolysis reaction forms VOCs over time
- 1% VOC limit was suggested
- Interim Enforcement Policy
- Will address during CONS - 2 rulemaking

## **Aminomethyl Propanol**

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### **Aminomethyl Propanol (AMP)**

- Used in various consumer products
- Often used as a resin stabilizer
- Qualifies as a VOC based on vapor pressure, carbon number and boiling point



## **Aminomethyl Propanol**

- Limited test results indicate that AMP at a specific weight percent, in a specific resin system and formulation does not volatilize
- However, different weight percents and/or different circumstances could produce different results
- Should not be a compliance issue if AMP is truly bound to resin system and does not volatilize

## **Aerosol Coatings/Consumer Products Regulations Overlap**

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## **Aerosol Coatings/Consumer Products Regulations Overlap**

- Some products fall under category definitions in both regulations
- Aerosol Coatings:
  - Contain a resin
  - Form a film or coating
- Some consumer products categories cover products that are also aerosols and contain a resin and form a film/coating
- Add regulatory language to address when specific products are subject to both regulations

## **Multi-function Products**

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## **Multi-function Analysis of Consumer Products**

### **Multi-function Products**

- Products making claims to remove multiple contaminants such as:
  - Chewing gum; candle wax; stickers; decals; latex paint drips; adhesives; bumper stickers; tape; glue; crayon; markers; ink; oil; grease; grime; goo; prewash; spots; carpet stains; lipstick; shoe polish; graffiti; scuff marks; soap residue; asphalt; flux; nail polish; bugs; tar; and many more...

## **Evaluation Commitment**

- Analyze product label for conflict with “Most Restrictive Limit Provision”
- Determine appropriate regulatory strategy
- Proposal will track with development of CONS-2

## Regulation Options

- Apply the 'Most Restrictive Limit'
- Redefine and regulate separately



## VOC Exemptions

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## **Compounds Under Review for Exemption from the Definition of VOC**

- tertiary-Butyl acetate (TBAC)
- Others
  - HFC-43-10 mee
  - HCFC-225 ca and cb
  - HFC-245 fa
  - HFE-7100 & HFE-7200



## **Consumer Products Inventory Update**

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## **Consumer Products Inventory Update**

- 2001 Survey data, most categories were updated
- Aerosol coatings inventory reflects latest VOC limits
- Recent adjustments reflect corrections made to 1997 Survey data

## **State Implementation Plan**

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## State Implementation Plan

- The Federal State Implementation Plan
  - Mandated by the federal Clean Air Act
  - California's emission reduction commitments
  - Developed in consultation with all interested parties



## 2003 SIP

- Approved by the Board October 2003
- CONS-1
  - Set new consumer product VOC limits to achieve at least 5 tpd reduction statewide
  - Implement in 2006
  - Commitment fulfilled
- CONS-2
  - Set new consumer product VOC limits to achieve at least 20 to 35 tpd reduction statewide
  - Implement in 2008 and 2010

## New Standards

- New federal 8-hour Ozone and PM<sub>2.5</sub> standards
  - Ozone: 0.08 ppm (averaged over 8 hours)
  - PM<sub>2.5</sub>: 15  $\mu\text{g}/\text{m}^3$  (annual average standard)
  - PM<sub>2.5</sub>: 65  $\mu\text{g}/\text{m}^3$  (24-hour standard)
- Ozone SIP due in 2007
- PM<sub>2.5</sub> SIP due in 2008



## SIP Planning Milestones

- |   |            |
|---|------------|
| ▪ Freeze SIP baseline emission inventory  | 2005       |
| ▪ Emission targets                        | Summer '06 |
| ▪ Draft plans                             | Fall '06   |
| ▪ Local & State plan adoption             | Early '07  |
| ▪ Ozone plans due to U.S. EPA             | June '07   |
| ▪ PM <sub>2.5</sub> plans due to U.S. EPA | April '08  |

## **Emissions in the South Coast Air Basin**

Year	VOC (tpd)	NOx (tpd)
2000	998	1195
2010	602	763
2020	549	515
*2003 SIP Targets for 2010	310	530

## **2006 Consumer Products Regulatory Amendments**

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## 2006 Consumer Products Regulation Amendments

- Per SIP and SIP lawsuit settlement, ARB must adopt VOC standards for reductions of 4-8 tpd in SCAQMD (10-15 tpd statewide)
- Will follow consumer products working group process used for previous regulation amendments

## Rulemaking Process

- Consumer & Commercial Products Survey
- Regulation Development
  - Data analysis
  - Preliminary draft regulation
  - Consumer Products Working Group meetings
  - Public workshops
- Regulation Proposal
  - Release of the Initial Statement of Reasons report
  - 45-day notice and request for public comment
- Board Hearing
  - Board hearing and decision
  - 15-day notice of change (if applicable)
- Regulation Adoption and Implementation
  - File with Office of Administrative Law
  - Release of the Final Statement of Reasons report



## **Public Participation Opportunities During Rulemaking Process**

- Consumer Products Working Group
- Workshops
- Meetings, teleconferences, video conferences
- Written comments

## **Current Reduction Strategies**

- Strategies available under the existing regulations:
  - Mass emission limits
  - Photochemical reactivity based limits

## Compliance Options

- Strategies available under the existing regulations:
  - Innovative Product Exemption
  - Alternative Control Plan



## Regulatory Timeline (tentative)

- Second Workgroup Meeting.....March 2006
- Third Workgroup Meeting.....May 2006
- Fourth Workgroup Meeting.....June 2006
- First Public Workshop.....August 2006
- 45-Day Notice Release.....Sept. 29, 2006
- Board Hearing Date.....Nov. 16, 2006
  
- Additional Workshops/Workgroup/Subgroup/Individual Meetings TBA as needed

## Next Steps

- Analyze/Revise Survey Data
- Develop preliminary list of categories to further analyze
- Second Workgroup Meeting March 2006



## Contact Information

Name	Responsibility	Phone	Email
Janette Brooks	Chief, Air Quality Measures Branch	(916)322-7072	jbrooks@arb.ca.gov
David Mallory	Manager, Measures Development Section -Consumer products survey; Selected CP categories; Para-dichlorobenzene	(916)445-8316	dmallory@arb.ca.gov
Judy Yee	Manager, Implementation Section -ACP; IPE; Charcoal lighter certifications; CP Fees; Automotive wax and polishes; Adhesives; Selected CP categories	(916)322-9148	jyee@arb.ca.gov
Carla Takemoto	Manager, Technical Evaluation Section -Aerosol coating reg.; Antiperspirant & deodorant reg.; VOC exemptions; Reactivity; Toxics; Selected CP categories	(916)324-8028	ctakemot@arb.ca.gov
Trish Johnson	Staff Lead, 2006 Regulatory Amendments	(916)445-3365	tjohnson@arb.ca.gov
Jessica Dean	Staff, Measures Development Section	(916)322-2362	jdean@arb.ca.gov

## Websites

- **Air Resources Board website:** <http://www.arb.ca.gov>
- **Consumer Products website:**  
<http://www.arb.ca.gov/consprod/consprod.htm>
- **2003 Survey Data Summaries website:**  
<http://www.arb.ca.gov/consprod/regact/2003surv/datasum2003.htm>
- **Consumer Products Regulations website:**  
<http://www.arb.ca.gov/consprod/regs/regs.htm>
- **Consumer Products List Server website:**  
<http://www.arb.ca.gov/listserv/listserv.php>
- **SIP website:** <http://www.arb.ca.gov/planning/sip/sip.htm>
- **Cal/EPA website:** <http://www.calepa.ca.gov>



## New VOC Limits

Product Category	Effective Date	VOC Standard
Floor or Wall Covering Adhesive Remover	12/31/2006	5
Gasket or Thread Locking Adhesive Remover	12/31/2006	50
General Purpose Adhesive Remover	12/31/2006	20
Specialty Adhesive Remover	12/31/2006	70
Contact Adhesive - General Purpose	12/31/2006	55
Contact Adhesive - Special Purpose	12/31/2006	80
Anti-static Product - Aerosol	12/31/2008	80
Anti-static Product - Non-aerosol	12/31/2006	11
Electrical Cleaner	12/31/2006	45
Electronic Cleaner	12/31/2006	75
Fabric Refresher - Aerosol	12/31/2006	15
Fabric Refresher - Non-aerosol	12/31/2006	6

## New VOC Limits (Cont'd)

Product Category	Effective Date	VOC Standard
Footwear or Leather Care Product - Aerosol	12/31/2006	75
Footwear or Leather Care Product - Solid	12/31/2006	55
Footwear or Leather Care Product - All other	12/31/2006	15
Graffiti Remover - Aerosol	12/31/2006	50
Graffiti Remover - Non-aerosol	12/31/2006	30
Hair Styling Product - Aerosol and pump spray	12/31/2006	6
Hair Styling Product - All other forms	12/31/2006	2
Shaving Gel	12/31/2006	7
	12/31/2009	4
Toilet/Urinal Care Product - Aerosol	12/31/2006	10
Toilet/Urinal Care Product - Non-aerosol	12/31/2006	3
Wood Cleaner - Aerosol	12/31/2006	17
Wood Cleaner - Non-aerosol	12/31/2006	4

## Effective Dates for Toxic Air Contaminants (TACs) Prohibition

Product Category	TAC Prohibited	Effective Date	Sell-through
Contact adhesives; Electronic cleaners; Footwear or leather care products; General purpose degreasers	Methylene chloride, perchloroethylene, trichloroethylene	12/31/2005	12/31/2008
Adhesive removers; Electrical cleaners; Graffiti removers	Methylene chloride, perchloroethylene, trichloroethylene	12/31/2006	12/31/2009
Toilet/urinal care products and solid air fresheners	Para-dichlorobenzene	12/31/2005	12/31/2006

## 2004 CP Regulation Amendments: Enforcement Provisions

- Most Restrictive Limit
  - Entire container & packaging
  - Products manufactured on or after January 1, 2007, and FIFRA-registered insecticides, manufactured on or after January 1, 2008
- Date of Manufacture
  - Clearly display without disassembly for products manufactured on or after January 1, 2006
  - Standard code or annual reporting
  - Multi-unit packages can display date of assembly

## **2004 CP Regulation Amendments: Enforcement Provisions (cont'd)**

- Notification of Sell-Through
  - Product is being sold to a distributor or retailer
  - Sell-through period will expire in 6 months or less
  - Product does not comply with the lowest VOC standard that applies on the date the product is sold or supplied
  - Product is subject to a VOC standard with an effective date on or after Dec. 31, 2004